



Paper No. 9

Francisco A. Rubio-Campos
Sonnenschein Nath & Rosenthal
P.O. Box 061080
Wacker Drive Station, Sears Tower
Chicago IL 60606

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OCT 22 2002

OFFICE OF PETITIONS

In re Application of :
HIOK-NAM TAY :
Application No. 09/982,540 : DECISION ACCORDING STATUS
Filed: October 17, 2001 : UNDER 37 CFR 1.47(b)
Attorney Docket No. 09785980-0054 :

This is in response to the petition under 37 CFR 1.47(b),
submitted on June 4, 2002 (certificate of mailing May 20, 2002).

The petition is granted.

Petitioner has shown that HioK-Nam Tay, the non-signing inventor, has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the Declaration of Facts of Vincent P. Tassinari establishes that the inventor was mailed the application papers, including the specification, claims and drawings, but refused the request that he sign the declaration. In addition, petitioner has shown that Conexant Systems, Inc. has a proprietary interest in the above-identified application with the copy of the employment agreement showing that the inventor had an obligation to assign any patent rights to Conexant Systems. Petitioner provided authorization to charge the Deposit Account for any necessary fees. Lastly, petitioner has submitted a declaration in compliance with 37 CFR 1.63 and 1.64 and demonstrated that such action is necessary to prevent irreparable damage.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status. As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The \$130.00 petition fee and the \$1,440.00 four-month extension of time fee to file a timely reply have been charged to Deposit Account No. 19-3140, as authorized by petitioner

The application file will be forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries should be directed to the undersigned at (703) 306-5589.

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



Hlok-Nam Tay
6 Mount Vernon
Irvine, CA 92620

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In re Application of :
HIOK-NAM TAY :
Application No. 09/982,540 : LETTER
Filed: October 17, 2001 :
Attorney Docket No. 09785980-0054 :

OFFICE OF PETITIONS

Mr. Tay:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Christina Tartera Donnell at (703) 306-5589. Requests for information regarding your application should be directed to the File Information Unit at (703) 303-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 303-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Christina Tartera Donnell

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Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

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